COMMONWEALTH OF MASSACHUSETTS APPEALS COURT

SUFFOLK DIVISION

A. C. NO. 2001 - P - 1800

RALPH JOHANSEN,

Plaintiff

VS

MARLENE JOHANSEN

Defendant

JAN. 7 2002

EXHIBIT

STIPULATION OF DISMISSAL OF APPEAL

Pursuant to Mass. R. App. P. 29(b), the parties to the above-captioned appeal hereby stipulate and agree that the appeal shall be dismissed in its entirety without costs or expenses pursuant to the agreement of the parties, copy attached.

Ralph Johansen By his Attorney,

Phyllis Kolman, Esquire Benjamin & Benson 43 Thorndike Street Cambridge, MA 02141 (617) 577-1515

Dated: December 31, 2001

Marlene Johansen, By her Attorney,

BBO #314360 385 Concord Avenue Belmont, MA 02478 (617) 489-0909

appeals Court
Appeal is
Asimissed per the within
Stipulation with prejudice
and arthout costs per MKAP 4 M. Hong -Cent 29(6).

FILED

JAN 8 2002